

### **REMARKS**

Please reconsider the claims pending in the application for reasons discussed below.

Claims 43-54 are pending in the application. Claims 43-49 and 51-58 remain pending following entry of this response. Claims 43, 48 and 54 have been amended. Claim 50 has been cancelled. New claims 55-58 have been added to recite aspects of the invention. In particular, claim 55 corresponds to claim 50, rewritten in independent form. Applicant submits that the amendments and new claims do not introduce new matter.

Further, Applicant is not conceding in this application that those amended (or canceled) claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the claimed subject matter. Applicant respectfully reserves the right to pursue these (pre-amended or canceled claims) and other claims in one or more continuations and/or divisional patent applications.

#### **Statement of Substance of Interview**

On Nov. 6, 2009, a telephonic interview was held between Gero G. McClellan (attorney for Applicants) and the Examiner. The parties discussed *Schmid et al.*, U.S. Patent No. 6,438,578. Claims 43, 48 and 50 were discussed. The parties also discussed proposed amendments to claim 43. The proposed amendments are reflected in this response.

During the interview, the Examiner agreed that the proposed amendments discussed should obviate the present rejection. In particular, it was agreed that the references did not disclose transmitting redirection information and a command to the requesting device without transmitting the secondary content from the computer to the requesting device; wherein the command controls the requesting device to issue a first request for the initial content based on the first redirection code and a second request for the secondary content based on the second redirection code.

#### **Allowable Subject Matter**

Claim 50 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claim 50 has been rewritten as new claim 55.

Claim Rejections - 35 U.S.C. § 103

Claims 43-47 and 52-54 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Schmid et al.*, U.S. Patent No. 6,438,578 [*"Schmid"*], in view of *Gupta et al.*, U.S. Patent No. 6,487,538 [*"Gupta"*], in further view of *Bandera et al.*, U.S. Patent No. 6,332,127 [*"Bandera"*].

Claims 48, 49 and 50 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Schmid*, *"Thompson, Gupta*, in view of *Subramaniam*.

The Examiner bears the initial burden of establishing a prima facie case of obviousness. See MPEP § 2141. Establishing a prima facie case of obviousness begins with first resolving the factual inquiries of *Graham v. John Deere Co.*, 383 U.S. 1 (1966). The factual inquiries are as follows:

- (A) determining the scope and content of the prior art;
- (B) ascertaining the differences between the claimed invention and the prior art;
- (C) resolving the level of ordinary skill in the art; and
- (D) considering any objective indicia of nonobviousness.

Once the *Graham* factual inquiries are resolved, the Examiner must determine whether the claimed invention would have been obvious to one of ordinary skill in the art.

As noted above, it was agreed during the interview of November 6, 2009 that the references did not disclose transmitting redirection information and a command to the requesting device without transmitting the secondary content from the computer to the requesting device; wherein the command controls the requesting device to issue a first request for the initial content based on the first redirection code and a second request for the secondary content based on the second redirection code.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Dated: November 18, 2009

Respectfully submitted, and  
**S-signed pursuant to 37 C.F.R. 1.4,**

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